

Abraham Gross
917-673-1848
Pro Se Litigant
Homeless For 347 Days
While The Last Vacant Apartments
Are Gifted To Unqualified Candidates

September 03, 2020

RE: CASE 20-CV-4340 (GBD-RWL)

**URGENT REQUEST FOR AN EARLIER
CONFERENCE**

The Hon. Robert W. Lehrburger
Magistrate Judge
United States Southern District Court of New York
500 Pearl St, New York, NY 10007-1312

Dear Hon. Robert W. Lehrburger,

1. The following is written with humility and respect,
albeit the inexpressible harm resulting from the
Defendants continued unspeakable conduct.

2. Respectfully, On July 07, July 28, August 03, August 11, and August 24 (Dockets # 4, #15 , #20, #21, #22), Plaintiff protested Defendants intolerable actions by submitting two orders to show cause, and three letters to the Honorable Southern District of New York (“the Honorable Court”).

3. Plaintiff’s correspondence respectfully asked to schedule an emergency hearing to address, inter alia:

- i. Irreparable harm inflicted on Appellant by Defendants continued efforts to remove and/or modify incriminating documents from city databases, such as ACRIS.
- ii. Defendants stomach-turning admission- in effect- that out of 74,000 applicants to Waterline Square, 99.9% were rejected, but at the same time, Defendants awarded an extraordinarily high number of apartments to egregiously-unqualified residents.
- iii. Proof that Defendants corrupted the related State Proceedings, engaged in egregious

fraud on the court, and nonchalantly continue to seek improper influence over the adjudicators in federal proceedings.

- iv. On July 15, 2020, the Corporation Counsel affirmed acceptance of service in the matter that was specified by Corporation Counsel, Ms. Samathna Schonfeld. At the very least, this acceptance applies to the primary Defendants, City of New York and The Department of Housing Preservation and Development. Pursuant to FED.R.CIV. 12 (a) (i), the Defendants were required to serve an answer within 21 days. They have not done so. Pursuant to FED.R.CIV.P. 55(a), in such circumstances, “the clerk must enter the party’s default”.
- v. Plaintiff attached documentary evidence that the same HPD decision makers who rejected Plaintiff four times, based on shifting reasons, in a series of bewildering

conclusions that remain unexplained till this day despite specific FOIL requests, have also routinely embezzled from the public millions of dollars worth of affordable real-estate. And while they continued to egregiously award apartments in Waterline Square to unqualified candidates, they also continue living in their embezzled properties.

4. To date, these crucial and time-sensitive issues have been ignored.
5. Plaintiff is very grateful for the court for having scheduled a teleconference on the 21st, but respectfully, the aforesaid is a partial list of the time-sensitive issues which cannot wait until the 21st of September, especially as Defendants continue to destroy incriminating evidence, and as the last vacant apartments will be awarded to unqualified candidates in the blink of an eye.

6. Your Honor, as they did in State Court, the Defendants will do everything possible to delay these proceedings to the point where they state “we have no more apartments”.

7. Based on the compelling aforesaid circumstances, as well as the horrific, cruel and unusual 347 days of suffering- while 22 last apartments are being given away, Plaintiff is asking the Honorable Court to (a) please schedule an urgent conference on September 07, 2020, or at an earlier date. Plaintiff will make himself available anytime the Honorable Court should designate (b) order the relief sought in the prior orders to show cause and letters addressed to the Honorable Court (respectfully, the Hon. District Judge denied one relief sought, without addressing any of the other time-sensitive issues).

Sincerely,

Abraham Gross

